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Attorneys for State Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MOYATA ANOTTA, an individual; and NW  
METALS, INC., an Oregon corporation,

Plaintiffs,

v.

OREGON DEPARTMENT OF  
ENVIRONMENTAL QUALITY, an Oregon  
governmental regulatory agency;  
RICHARD WHITMAN, an individual;  
LEAH FELDON, an individual;  
NINA DECONCINI, an individual;  
DEREK SANDOZ, an individual;  
COURTNEY BROWN, an individual; and  
STEVE DIETRICH, an individual,

Defendants.

Case No. 3:22-cv-00953-YY

DECLARATION OF DEFENDANT'S  
COUNSEL IN SUPPORT OF NOTICE OF  
REMOVAL

I, James S. Smith, declare:

1. I am a Senior Assistant Attorney General for the Oregon Department of Justice  
and make this Declaration to support the Notice of Removal.

2. Attached as Ex. 1 is a true and correct copy of the Complaint filed by plaintiffs in Multnomah County Circuit Court June 3, 2022.

3. Attached as Ex. 2 is a true and correct copy of the Amended Complaint filed by plaintiffs in Multnomah County Circuit Court June 8, 2022.

4. Attached as Ex. 3 is a true and correct copy of the Acceptance of Service executed by defendants' counsel accepting service June 14, 2022.

5. Attached as Ex. 4 is a true and correct copy of the Declaration of Service of Summons and Amended Complaint on defendant Steven Dietrich, executed by Ms. Abigail Williams, filed by plaintiffs in Multnomah County Circuit Court June 30, 2022.

6. As of this date, there have been no further proceedings or pleadings in Multnomah County Circuit Court.

**I declare under penalty of perjury that the foregoing is true and correct.**

EXECUTED on July 1, 2022.

s/ James S. Smith  
JAMES S. SMITH  
Senior Assistant Attorney General